

CLOSED, TYPE-I

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:02-cv-00566-SBC**

JUDICIAL WATCH INC. v. UNITED STATES
DEPARTMENT OF TRANSPORTATION et al
Assigned to: Judge Suzanne B. Conlon
Cause: 05:552 Freedom of Information Act

Date Filed: 03/22/2002
Date Terminated: 07/08/2005
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **Larry E. Klayman**
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V.

Defendant

**UNITED STATES DEPARTMENT OF
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Defendant

**FEDERAL AVIATION
 ADMINISTRATION**

represented by **Marina Utgoff Braswell**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/22/2002	<u>1</u>	COMPLAINT against FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION (Filing fee \$150). Filed by JUDICIAL WATCH INC.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(nmr,) (Entered: 03/28/2002)
03/22/2002		SUMMONS (4) Issued as to FEDERAL AVIATION ADMINISTRATION ; UNITED STATES DEPARTMENT OF TRANSPORTATION , U.S. Attorney and U.S. Attorney General (nmr) (Entered: 03/28/2002)
03/22/2002	<u>2</u>	LCvR 26.1 – CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests <i>by plaintiff Judicial Watch Inc.</i> (nmr,) (Entered: 03/28/2002)
05/07/2002	<u>3</u>	ATTORNEY APPEARANCE. (nmr,) (Entered: 05/08/2002)
05/07/2002	<u>4</u>	MOTION for Extension of Time to File Answer re <u>1</u> <i>to Complaint to 5/15/02</i> by FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION. (nmr,) (Entered: 05/08/2002)
05/15/2002	<u>5</u>	ANSWER to Complaint by FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 05/15/2002)
05/21/2002		Minute Entry: Motion for enlargement of time to 5/15/02 to respond to complaint <u>4</u> granted nunc pro tunc and terminated. (TDR) (Entered: 05/21/2002)
06/07/2002	<u>6</u>	ORDER for Initial Scheduling Conference on 7/9/2002 at 12:30 PM. Signed by Judge Richard W. Roberts on 6/7/02. (TDR) (Entered: 06/07/2002)
07/02/2002	<u>7</u>	Unopposed MOTION to Continue <i>Scheduling Conference and</i> , Unopposed MOTION for Extension of Time to File <i>Joint Written Report</i> by FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 07/02/2002)
07/03/2002		Minute Entry: Motion to continue scheduling conference and for extension of time to file joint report <u>7</u> granted and terminated. Joint written report due by 7/11/2002. Scheduling Conference rescheduled to 7/19/2002 at 04:15 PM. (TDR) (Entered: 07/03/2002)
07/11/2002	<u>8</u>	MEET AND CONFER STATEMENT. (Attachments: # <u>1</u> Exhibit Letter)(Braswell, Marina) (Entered: 07/11/2002)
07/19/2002		Minute Entry: Status Conference held on 7/19/2002 before Richard W. Roberts (Court Reporter Beth Bingham (Miller).) (lin,) (Entered: 07/19/2002)
08/12/2002	<u>9</u>	ORDER: with exception of items 6 and 7 of plaintiff's 12/19/01 supplemental FOIA request, defendants shall by 9/30/02 produce any and all records responsive to plaintiff's 11/19/01 and 12/19/01 FOIA requests; on same date, defendants shall file dispositive motions; with respect to items 6 and 7 of plaintiff's 12/19/02 supplemental request, defendants shall produce any and all responsive records that are not subject to claims of exemption by 11/19/02; on same date, defendants shall file dispositive motions. Signed by Judge Richard W. Roberts on 08/09/2002.

		(mlp,) (Entered: 08/13/2002)
09/17/2002	<u>10</u>	NOTICE OF TRANSCRIPT FILED for dates 7/19/02 ; <i>Court Reporter: Elizabeth S. Bingham.</i> (nmr,) (Entered: 09/18/2002)
09/30/2002	<u>11</u>	Unopposed MOTION for Extension of Time to File <i>Dispositive motions</i> by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 09/30/2002)
10/01/2002	<u>12</u>	MOTION for Summary Judgment by FEDERAL AVIATION ADMINISTRATION. (Attachments: # <u>1</u> Ball Declaration# <u>2</u> Harley Declaration# <u>3</u> Jefferson Declaration)(Braswell, Marina) (Entered: 10/01/2002)
10/03/2002		Minute Entry: Motion for enlargement of time <u>11</u> granted and terminated. Dispositive motion by defendant FAA due by 10/1/2002; dispositive motion by defendant TSA due by 11/8/2002; any final release of nonexempt information due by 11/8/2002.(TDR) (Entered: 10/03/2002)
10/15/2002	<u>13</u>	MOTION for Extension of Time to File <i>Opposition to FAA's Motion for Summary Judgment</i> by JUDICIAL WATCH INC.. (Orfanedes, Paul) (Entered: 10/15/2002)
10/22/2002	<u>14</u>	Memorandum in opposition to motion re <u>12</u> <i>Defendant FAA's Motion for Summary Judgment</i> filed by JUDICIAL WATCH INC.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Orfanedes, Paul) (Entered: 10/22/2002)
10/24/2002		Minute Entry: Motion for extension of time <u>13</u> granted nunc pro tunc and terminated. Plaintiff's response to FAA's Motion for Summary Judgment due by 10/22/2002. (TDR) (Entered: 10/24/2002)
10/30/2002	<u>15</u>	ENTERED IN ERROR.....Unopposed MOTION for Extension of Time to File Response/Reply re <u>14</u> by FEDERAL AVIATION ADMINISTRATION. (Braswell, Marina) Modified on 10/31/2002 (nmr,). (Entered: 10/30/2002)
11/05/2002	<u>16</u>	Unopposed MOTION for Extension of Time to File Response/Reply re <u>14</u> by FEDERAL AVIATION ADMINISTRATION. (Braswell, Marina) (Entered: 11/05/2002)
11/08/2002	<u>17</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Attachments: # <u>1</u> Exhibit Declaration of Patricia M. Riep-Dice & Exhibit A# <u>2</u> Exhibit Vaughn Index# <u>3</u> Exhibit Declaration of Robin C. Burke# <u>4</u> Exhibit Declaration of Admiral James M. Loy)(Braswell, Marina) (Entered: 11/08/2002)
11/14/2002	<u>18</u>	First MOTION for Extension of Time to File Response/Reply re <u>17</u> <i>Defendants' Motion for Summary Judgment</i> by JUDICIAL WATCH INC.. (Orfanedes, Paul) (Entered: 11/14/2002)
11/15/2002	<u>19</u>	REPLY to opposition to motion re <u>12</u> filed by FEDERAL AVIATION ADMINISTRATION. (Attachments: # <u>1</u> Exhibit Declaration (second) of Cecilia Harley)(Braswell, Marina) (Entered: 11/15/2002)
11/18/2002		Minute Entry: Defendants' unopposed motion for enlargement of time <u>16</u> granted nunc pro tunc and terminated. (TDR) (Entered: 11/18/2002)
11/27/2002		Minute Entry: Plaintiff's MOTION for Extension of Time <u>18</u> granted. Plaintiff's opposition to defendant DOT's motion for summary judgment due 12/10/02. (TDR) (Entered: 11/27/2002)
12/10/2002	<u>20</u>	Memorandum in opposition to motion re <u>17</u> <i>Summary Judgment</i> filed by JUDICIAL WATCH INC.. (Orfanedes, Paul) (Entered: 12/10/2002)
12/17/2002	<u>21</u>	ENTERED IN ERROR.....Consent MOTION for Extension of Time to File <i>reply to plaintiff's opposition</i> by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) Modified on 12/18/2002 (nmr,). (Entered: 12/17/2002)
12/18/2002	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Opposition by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 12/18/2002)

12/23/2002		Minute Entry: Consent MOTION for Extension of Time to File Response/Reply <u>22</u> granted. Defendants' reply due 1/10/03. (TDR) (Entered: 12/23/2002)
01/07/2003	<u>23</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Opposition by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 01/07/2003)
01/30/2003	<u>24</u>	Consent MOTION for Extension of Time to File by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 01/30/2003)
02/05/2003		Minute Entry: Consent MOTIONS for Extension of Time [23, 24] granted. Defendants' reply due by 2/21/2003. (TDR) (Entered: 02/05/2003)
02/20/2003	<u>25</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Opposition by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 02/20/2003)
02/25/2003		Minute Entry: Consent MOTION for Extension of Time to File Reply <u>25</u> granted. Defendants' Reply to Dispositive Motion due by 2/28/2003. (TDR) (Entered: 02/25/2003)
02/28/2003	<u>26</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Opposition by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 02/28/2003)
03/05/2003		Minute Entry: Consent MOTION for Extension of Time to File Reply <u>26</u> granted. Reply to Dispositive Motion due by 3/7/2003. (TDR) (Entered: 03/05/2003)
03/10/2003	<u>27</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>20</u> Memorandum in Opposition by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 03/10/2003)
03/12/2003		MINUTE ENTRY ORDER granting Motion for Extension of Time to 3/12/03 to file reply <u>27</u> . (TDR) (Entered: 03/12/2003)
03/12/2003	<u>28</u>	REPLY in support of motion re <u>17</u> filed by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 03/12/2003)
03/20/2003	<u>29</u>	ERRATA <i>filing of agency declaration inadvertently not filed March 12, 2003</i> , by UNITED STATES DEPARTMENT OF TRANSPORTATION. (Braswell, Marina) (Entered: 03/20/2003)
11/25/2003	<u>30</u>	NOTICE of Appearance by James F. Peterson on behalf of JUDICIAL WATCH INC. (Peterson, James) (Entered: 11/25/2003)
11/26/2003	<u>31</u>	NOTICE of Appearance by Paul J. Orfanedes on behalf of JUDICIAL WATCH INC. (Orfanedes, Paul) (Entered: 11/26/2003)
06/02/2004	<u>32</u>	NOTICE by JUDICIAL WATCH INC. <i>OF FILING SUPPLEMENTAL AUTHORITY</i> (Attachments: # <u>1</u> Supplement)(Orfanedes, Paul) (Entered: 06/02/2004)
09/17/2004	<u>33</u>	NOTICE of Appearance by Meredith Leigh Cavallo on behalf of JUDICIAL WATCH INC. (Cavallo, Meredith) (Entered: 09/17/2004)
03/11/2005	<u>34</u>	DESIGNATION by the Chief Justice of the United States directing the designation and assignment of a United States District Judge for service in another circuit; assigning Judge Suzanne B. Conlon of the United States District Court for the Northern District of Illinois to this case and CA 03-0195, CA 99-2266, CA 03-1559, CA 03-0310, CA 02-1049, CA 03-0102, CA 03-1259, 04-0388 and CA 03-0466. Signed by Chief Justice William H. Rehnquist on 2/17/05. (gt) (Entered: 03/11/2005)
03/11/2005		Case Reassigned to Judge Suzanne B. Conlon of the United States District Court for the Northern District of Illinois. Judge Richard W. Roberts no longer assigned to the case. (gt) (Entered: 03/11/2005)
07/08/2005	<u>35</u>	MEMORANDUM AND OPINION denying U.S. Department of Transportation's Motion for summary judgment with respect to Judicial Watch's Fee Waiver;

		granting U.S. Department of Transportation's and Federal Aviation Administration's Motions for Summary Judgment with respect to withheld documents. Signed by Judge Suzanne B. Conlon on 7/7/05. (jeb,) (Entered: 07/08/2005)
07/08/2005	<u>36</u>	JUDGMENT in favor of U.S. DEPARTMENT OF TRANSPORTATION AND FEDERAL AVIATION ADMINISTRATION against JUDICIAL WATCH INC.. Signed by Judge Suzanne B. Conlon on 7/7/05. (jeb,) (Entered: 07/08/2005)